

2014 No. 452

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service Commissioning Board and Clinical
Commissioning Groups (Responsibilities and Standing Rules)
(Amendment) (No. 2) Regulations 2014**

<i>Made</i>	- - - -	<i>27th February 2014</i>
<i>Laid before Parliament</i>		<i>6th March 2014</i>
<i>Coming into force</i>	- -	<i>1st April 2014</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 3B(1) and 272(7) and (8) of the National Health Service Act 2006(a).

Before deciding to make regulations under section 3B of the National Health Service Act 2006, the Secretary of State obtained appropriate advice and consulted the National Health Service Commissioning Board in accordance with subsection (4) of that section.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) (Amendment) (No. 2) Regulations 2014 and come into force on 1st April 2014.

(2) In these Regulations, “the principal Regulations” means the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012(b).

Amendments in relation to services for persons detained in secure children’s homes

2.—(1) In regulation 10 of the principal Regulations (services for prisoners and other detainees), in paragraph (2)(b), delete the words “(except those specified in Part 1 of Schedule 3)”.

(2) Omit Part 1 of Schedule 3 (secure children’s homes to which regulation 10(2)(b) does not apply).

Amendments in relation to services for rare and very rare conditions which are commissioned by the Board

3.—(1) Schedule 4 to the principal Regulations is amended as follows.

(a) 2006 c. 41. Section 3B of the National Health Service Act 2006 (“the 2006 Act”), is inserted by section 15 of the Health and Social Care Act 2012 (c. 7). By virtue of section 271(1) of the 2006 Act, the powers exercised in making these Regulations are exercisable by the Secretary of State in relation to England only. See section 275(1) of the 2006 Act for the definitions of “prescribed” and “regulations”.

(b) S.I. 2012/2996, relevant amendment to which was made by S.I. 2013/261.

(2) After paragraph 22, insert—

“**22A.** Atypical haemolytic uraemic syndrome services.”.

(3) After paragraph 57, insert—

“**57A.** Hand transplantation for adults.”.

Signed by authority of the Secretary of State for Health.

27th February 2014

Earl Howe
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 3B of the National Health Service Act 2006 (“the Act”). They make amendments to regulation 10 of, and Schedules 3 and 4 to, the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996) (“the principal Regulations”) which require the Board to make arrangements for the provision, as part of the health service, of specified services or facilities to specified people or groups of people.

Regulation 2 amends regulation 10 of, and Schedule 3 to, the principal Regulations in so far as those provisions require the National Health Service Commissioning Board (“the Board”) to make arrangements for the provision of services to persons in secure children’s homes. The effect of these amendments is to remove the exceptions to this obligation, meaning that the Board will have responsibility for commissioning health services described in regulation 10(1) for all secure children’s homes, as defined in regulation 2 of the principal Regulations.

Regulation 3 amends Schedule 4 to the principal Regulations (services for rare and very rare conditions) to give effect to revised commissioning responsibilities for the Board pursuant to regulations 7, 10 and 11 of the principal Regulations.

These amendments follow advice received, and consultation with the Board, pursuant to the statutory procedures set out in section 3B(4) of the Act.

No impact assessment has been carried out in respect of these Regulations.

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